

CIVIL DOCKET
UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE				ATTORNEYS			
<p>SANDRA ROBBINS,</p> <p>Plaintiff,</p> <p>vs.</p> <p>TULSA PUBLIC SCHOOLS AND INDEPENDENT SCHOOL DISTRICT NO. 1 AND DR. GORDON CAWELTI AND KENNETH J. BAYS,</p> <p>Defendants.</p>				<p>For plaintiff:</p> <p>Jeff Nix <i>584-6101</i> Ungerman, Grabel and Ungerman 625 Wright Building Tulsa, Oklahoma 74103</p> <p>For defendant:</p> <p>David Fist Gene Mortensen 300 McFarlin Bldg. Tulsa, Oklahoma 74103</p>			
STATISTICAL RECORD		COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed <i>4-1-73</i>		Clerk		3-6-73	Ungerman	15.00	
J.S. 6 mailed <i>2-1-75</i>		Marshal		3-8-73	C.D.No.39		15 00
Basis of Action: Civil Rights Act of 1964		Docket fee					
		Witness fees					
Action arose at:		Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-6-73	Complaint filed and Summons issued. v	
3-7-73	U.S. Marshal's service returned and filed; Summons served on Tulsa Public Schools, Carl D. Hall, Jr., Pres., Tulsa, Okla.; Summons served on Ind. School Dist. No.1, Dr. Gordon Cawelti, Tulsa; Summons served on Dr. Gordon Cawelti, Tulsa, Okla.; Summons served on Kenneth Bays, Tulsa; all Summons served 3-6-73 (USM fee \$13.20)jj	
3-26-73	Deft.s. <u>Cawelti</u> and <u>Bays</u> Answer, filed. jj	
3-26-73	Deft., <u>Ind. School Dis.</u> Answer, filed. jj	
4-6-73	Plaintiff's requests for admission, filed. ds	
4-11-73	Response to pltf's requests for admissions of fact, filed. hm	
5-3-73	Motion to Dismiss with Brief in Support, filed by Independent School District No. 1 of Tulsa Co., Okla. v	
7-10-73	Appl. of pltf. to amend complaint after responsive pleading has been filed, filed. rm	
7-10-73	Order granting pltf. leave to file first amended complaint.(AEB-J)rm	
7-10-73	First amended petition for declaratory judgment and complaint,filed.rm Deft.	
8-22-73	Application/for Leave to Amend Ans., filed.jj 0 to J	
8-28-73	Order allowing defendants to file amended answers, filed. (AEB-J)g	
8-29-73	Answer of Defts. Dr. Gordon Cawelti & Kenneth Bays, to amended petition, filed. v	
8-29-73	Answer of Independent School District No. 1 of Tulsa Co., to amended petition, filed. v	
9-17-73	Ordered by the Court that Pltf. is granted 5 days from this date to respond to Deft.'s Motion to Dismiss, filed on 5-3-73. (AEB-J)v	
9-21-73	Brief of Pltf, in opposition to defts' Motion to Dismiss, filed. r	
10-30-73	Order by the Court that parties submit briefs within 7 days of this date directed to the following question: "Whether under the terms of Harris v. Tooele Co. School Dist. (10th CCA, 1973) 471 F. 2d 218, and the tests enunciated thereunder, the School District would be determined to be an arm of the State and, thus, protected by the Eleventh Amendment in a suit filed in Federal Court." (AEB-J) ds	
11-6-73	Reply brief of pltf., filed. rm <i>copy</i>	
11-7-73	Memorandum Brief on Behalf of Independent Sch. Dist. No. 1 of Tulsa County, Okla., filed. a	
11-19-73	Order, filed and entered, that Tulsa Public Schools is hereby dropped as a party deft; and that motion to dismiss of deft. Independent School District No. 1 of Tulsa County, Okla., is hereby sustained & complaint and cause of action is dismissed as to said deft. (AEB-J)hm (copies mailed)	
12-12-73	<i>ready PT -</i> MO: Parties directed to hold PT conference prior to 1-21-74, & file PT order not later than 1-30-74. (AEB-J)v -notices mld. <i>not said PT was in as of 2-1</i>	

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-5-74	<u>Pre-Trial Order</u> , filed.jj (AEB-J)jj <i>agreed mailed</i>	
3-5-74	Joint Appl. for ext. of time to file briefs, filed. v <i>as part of app. to J.</i>	
3-11-74	Order filed, granting defendants to 3-11-74 to file brief pursuant to pretrial order. (AEB-J) ds	
3-11-74	Memorandum aBrief on Behalf of Dr. Gordon Cawelti and Kenneth Hays, filed. e	
3-11-74	Brief in Support of Pltf's Position, filed.jj	
8-13-74	MO: Case set for non-jury trials on 8-20-74, at 10:00 A.M.(AEB-J)b	
8-14-74	Pursuant to pre-trial Order filed Feb. 5, 1974, this case is stricken from the non-jury docket set 8-20-74, at 10:00 a.m. The case will be submitted to the Court on stipulation and briefs. Simultaneous briefs have now been filed. (AEB-J) b	
12-31-74	Appl. for leave of Court to amend Compl. after response of pleading has been filed, filed.k <i>040 J</i>	
12-31-74	Order, filed, granting pltf. leave to file second amended compl. (AEB-J)k cps mld	
12-31-74	Pltf's second amended petition for declaratory judgment & complaint, filed & summons issued.k	
1-6-75	Summons, ret. & filed: served Dr. Bruce Howell, 1-3-75. (USM \$4.20)g	
1-10-75	Defts.' Motion to Vacate Ex Parte Order, filed. v	
1-10-75	Brief in support, filed. v	
1-13-75	MO: Ordered by the Court that Pltf. is granted 10 days from this date to respond to Defts.' Mot. to Vacate Ex Parte Order. (AEB-J)v	
1-31-75	Order, filed, substituting Party. Ordered that Dr. Bruce Howell be substituted for Dr. Gordon Cawelti as a Deft. in this litigation. (AEB-J)v -copies mld.	
1-31-75	Order, filed, sustaining Defts.' Mot. to Vacate Ex Parte Order. (AEB-J)v -cps. mld.	
1-31-75	Order and Findings of Fact and Conclusions of Law, filed. (AEB-J)v -copies mld.	
1-31-75	Judgment, filed & entered. Ordered that Judgment be entered in favor of Defts. Dr. Bruce Howell and Kenneth J. Bays. Further ordered that Pltf.'s Complaint & Cause of Action be & the same are hereby Dismissed. (AEB-J)v -copies mld.	

DATE	PROCEEDINGS	Date Order or Judgment Note